

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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Bernard M. Eisen, DDS

Plaintiff,

- against -

Venum Ltd., Giles Cadman, Individually,
Mark Trotter, Individually, and Philip Serrien,
Individually

Defendants.
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No. 1:16-cv-461-EAW

ECF Case

NOTICE OF MOTION

[Oral Argument Requested]


PLEASE TAKE NOTICE that upon the accompanying memorandum of law in support of Defendants' motion to compel arbitration and dismiss the complaint, or in the alternative, to compel arbitration and stay proceedings, the Declaration of Atul R. Singh, Esq., the complaint and the exhibits annexed thereto, and any other submissions as shall be made in support of this motion, Defendants Venum Ltd., Giles Cadman, Mark Trotter, and Philip Serrien, by and through their undersigned counsel, shall move this Court before the Honorable Elizabeth A Wolford, U.S.D.J., at the United States Courthouse located at the Kenneth B. Keating Federal Building, 100 State Street, Rochester, New York 14614, on a date and time this Court deems appropriate, for an Order, pursuant to the Federal Arbitration Act, 9 U.S.C. § 1, *et seq.*, granting Defendants' motion to compel arbitration and dismiss the complaint, or in the alternative, to compel arbitration and stay proceedings, and granting such other relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that Defendants intend to file papers in reply to Plaintiff's response, if any.

PLEASE TAKE FURTHER NOTICE that Defendants respectfully request oral argument on this motion.

Dated: New York, New York
July 12, 2016

ELLENOFF GROSSMAN & SCHOLE LLP
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